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**VIA ECF**

The Honorable Nina Morrison  
United States District Judge  
U.S.D.C. Eastern District of New York  
225 Cadman Plaza East, Courtroom 6E North  
Brooklyn, NY 11201

RE: *In re Hain Celestial Heavy Metals Baby Food Litigation*, Case No. 2:21-cv-00678-NM-AYS

Dear Judge Morrison:

The parties in the above-captioned action jointly submit this letter pursuant to your May 9, 2023 order. To date, the Second Circuit has not reached a decision on the appeal of *In re Beech-Nut Nutrition Co. Baby Food Litigation*. See No. 21-cv-133, ECF No. 199 (N.D.N.Y.). The Second Circuit has scheduled oral argument for the week of January 8, 2024. See *Thomas v. Beech-Nut Nutrition Co.*, No. 23-220, ECF No. 84 (2d. Cir.).

Very truly yours,

/s/ Michael P. Carty  
Michael P. Carty  
Attorney for Plaintiffs

/s/ Dean N. Panos  
Dean N. Panos  
Attorney for Defendant  
The Hain Celestial Group, Inc.